

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPELLANT'S REPLY

This is a Reply pursuant to 37 CFR 41.41 and MPEP 1208 to the Examiner's Answer mailed herein 24 April 2008.

Filed herewith is a Change of Correspondence Address, with Revocation and New Power of Attorney and a copy of a previously filed Statement under 37 CFR 3.73.

REMARKS

1. The Real Party in Interest remains as stated in Appellant's Brief filed herein 19 February 2008.
2. Appellant remains unaware of any Appeals or Interferences related to this Appeal.
3. The Status of Claims remains as stated in Appellant's Brief filed herein 19 February 2008.
4. The Status of Amendments remains as stated in Appellant's Brief filed herein 19 February 2008.
5. The Summary of Claimed Subject Matter remains as stated in Appellant's Brief filed herein 19 February 2008.
6. The Grounds for Rejection to be Reviewed on Appeal remains as stated in Appellant's Brief filed herein 19 February 2008.
7. Argument in Reply to statements made in the Examiner's Answer are provided below.

ARGUMENT

Summary

Appellant gratefully acknowledges the remarks and the consideration provided by the Examiner in his Answer filed herein 24 April 2008. However, Appellant respectfully submits that the Examiner has continued to miss the gist of Appellant's invention, and the meaning and significance of Appellant's claims, and to mischaracterize the scope and content of the prior art. Appellant respectfully requests that the findings of the Examiner be reversed, and the claims allowed.

As noted below, Appellant fears that this case may possibly, in the past, have suffered from a lack of communication between Appellant and the Examiner during prosecution below, and/or from a lack of attention from the Examiner. It further appears, in view of the contents of the Examiner's Answer and in light of the need for a filing by the Examiner of a Supplemental Answer, that such lack of attention may be continuing. Appellant respectfully requests a careful review of the merits of the case, and guidance from the Board in obtaining the patent to which Appellant believes it is entitled.

With respect to claims 1, 42, 75, and dependents, Appellant thanks the Examiner for his fresh consideration of Appellant's arguments. However, the Examiner has still failed to demonstrate that the invention, including particularly the limitations of

- (i) performing a series of steps at the host controller system including... applying a set of predetermined logic rules... to determine an award benefit, and assigning at least one award benefit to the user when at least one preselected criteria for the award is satisfied; and
- (ii) communicating information relating to the award benefit or an updated award status condition from the host controller system to the point of transaction,

are obvious in view of the cited art. With all respect, the Examiner (a) continues to misunderstand the significance of the fact that limitation (i) is not performed in the cited

art by the same processor that performs other claimed processing; and (b) has not yet shown show where limitation (ii) is taught anywhere in the prior art. The combination of such processes performed by Appellant's host controller is unique, and represents a significant departure in awards systems. Appellant's claimed invention opens new ways of processing awards benefits and doing business that are possible with prior art systems such as those cited by the Examiner. For example, Appellant's systems, as claimed, allow a customer to go into a merchant's place of business (included, in the parlance of the claims, within the meaning of a "point of transaction"); engage in a transaction, details of which are reported by the merchant to a host controller, which host controller applies a set of predetermined rules to award the customer new, previously non-existent awards benefits; and receive from the host controller a report of those benefits at the point of transaction, so that, for example, the customer may avail him/herself of those benefits at that time, either immediately, as part of the same transaction, or later. As explained in more detail below, the prior art, as cited by the Examiner, is simply inoperative for such possibilities; and neither the processes themselves nor advantages that may be gleaned thereby are taught or in any way suggested by such art.

With respect to claims 68, 79 and dependents, the Examiner has neither effectively refuted Appellant's previous argument or provided any new rationale to support rejection. As noted below, the arguments presented in Appellant's original Brief on Appeal are respectfully reiterated.

Reply to Examiner's Answer

Claims 1, 42, 75, and dependents

The bulk of the Examiner's Answer, including its first 18 pages, is copied verbatim from the last several Office Actions in prosecution below. As noted in Appellant's opening brief, large portions of the arguments presented in that portion of the Answer relate to limitations that have not been included in Appellant's claims for several rounds of prosecution, but which have been carried along through those rounds regardless. This fact, together with the need of the Examiner to file a Supplemental Answer in this Appeal, in order to correct the stated rejection of claims that have long

since been cancelled, cause Appellant to fear that proper attention has not been given to this case.

Beginning at page 18, the Examiner does respond in form to Appellant's arguments. However, Examiner's response is not materially different from statements presented previously, and does not fairly establish a case for the obviousness of Appellant's claims: the Examiner continues to mischaracterize the teachings of the prior art and its relevance to Appellant's claims.

As explained in Appellant's opening brief, the prior art fails to disclose or suggest at least the limitations of:

- (i) performing a series of steps at the host controller system including... applying a set of predetermined logic rules... to determine an award benefit, and assigning at least one award benefit to the user when at least one preselected criteria for the award is satisfied; and
- (ii) communicating information relating to the award benefit or an updated award status condition from the host controller system to the point of transaction.

As previously noted, the combination of these features is significant, and opens new possibilities for transactions and the efficient distribution of goods that are not taught or suggested by the prior art.

At page 20 of the Answer, the Examiner, in arguing that feature (i), i.e., a host controller awarding previously non-existent awards benefits, is disclosed by Postrel, the Examiner points to Figures 3 and 5, and paragraphs [0036] and [0043] of Postrel. In doing so, the Examiner cites those portions of Postrel out of proper context, and as a result presents a picture which substantially misrepresents the teachings of Postrel.

As Appellant has noted in previous argument, the system disclosed in Postrel is directed toward the accumulation and redemption by a host controller of previously-existing awards points created by parties other than the host controller, and enabling a system user to redeem such points for merchandise using the host controller, for purposes such as the trading and redemption of such awards on a secondary market.

This may be seen clearly by reviewing those passages cited by the Examiner in their proper context, and is clearly distinct from Appellant's claimed invention.

Postrel's very title is indicative: "*System for electronic barter, trading and redeeming points accumulated in frequent use reward programs.*" The Abstract reinforces the point:

A system and method for operating a reward points *accumulation and redemption program* wherein a user earns reward points *from a plurality of reward points issuing entities* [which corresponds to neither the "host controller" as used by Appellant, nor the "trading server" 20 as used by Postrel], each of the reward points issuing entities tracking the user's earned reward points in a user reward point account stored on a rewards server [10, 12, 14]. A trading server [20; i.e., a host controller as contemplated by Appellant, separate and distinct from the issuing entities] accumulates the user's earned reward points from each of the reward servers [10, 12, 14] interconnected over a network in association with consideration provided by the reward servers [10, 12, 14] to the trading server [20] and credits the accumulated points into a reward exchange account associated with the user [a third party operating a system such as an Internet-connected system 40]. The user may then select an item for purchase from a merchant computer [fourth party system 30] interconnected to the network. The merchant computer [30] provides the item to the user in exchange for consideration received from said trading server [20], and the trading server [20] reduces the number of points in the user's reward exchange account in accordance with the consideration provided to the merchant computer.

[Cross-references to numbers used in Postrel figures added by Appellant.] Details of the implementation and operation of the Postrel system are provided beginning at paragraph [0027] of the Postrel specification (the Detailed Description):

[0027] With reference to FIG. 4, a plurality of reward server computers 10, 12, 14, a [separate and distinct] trading server 20, a [further separate and distinct] merchant computer 30 and a [still further separate and distinct] user computer 40 are shown in communication with a network 40... The reward server computer may be a credit card reward program such as offered by American Express where the user earns rewards based on purchases or an advertising based award program where the user earns rewards by selecting advertising content.

[0028] A user of this system may acquire and accumulate rewards through any prior art means such as shown on FIG. 1, which are then posted in a user's reward account 52 that is accessible through the reward server computer 10.

In other words, the rewards points are previously existing and awarded by systems other than the trading server 20]. Postrel continues:

The trading server computer 20 is in communication through the network 2 with a user on a user computer 40 and is additionally able to connect to the reward server computers 10,12,14 through the network 2 in accordance with techniques well known in the art for Internet communications.

Thus it is immediately apparent that the functions of (a) awarding and (b) accumulating and redeeming points are separated in Postrel, and performed by separate, unrelated entities. This is unlike Appellant's claimed invention, at least in some embodiments. This is because Postrel is concerned with opening and exploiting a secondary market in awards benefits, not with awarding and potentially further redeeming new benefits at the Point of Transaction, at the time of the transaction, and communicating information relating to the newly-awarded points to the user at that time.

The merchant computer 30 is representative of any site that can communicate with the network that has goods or services for sale or trade. The merchant may have a direct relationship with the trading server where the direct relationship allows for a streamlined process for allowing a user to acquire products offered via the merchant computer. Alternatively, the merchant computer may be an independent merchant that does not currently have a profile defined in the trading server that will accept payment from another computer system in any one of well known e-commerce embodiments.

[0029] The rewarding entities may be any type of entity that has a service for allocating points or consideration for user actions. The reward server computers 10,12, 14 may be of any type of accessible server capable of holding data about a user along with a corresponding earned value that is negotiable for other goods, services, or points of another system. In the preferred embodiment, the airline reward server computer 10 may refer to one or several different airlines that have frequent flyer programs or the like. The credit card reward server computer 12 may refer to any type and number of credit card server systems capable of holding, increasing or decreasing a user's earned rewards acquired according to the terms of the credit card program to which the user has enrolled. The marketing reward server computer 14 may refer to one or a multitude of network accessible marketing systems that allow a user to have an account where points or other redeemable value may be stored, updated and redeemed by a user...

[0030] The present invention allows issuers who originally sold reward points in their program for use as an incentive by third parties to repurchase points at a substantial discount, thereby reducing their liability and allowing for a

trading strategy that enables points to continually be sold and repurchased.
This may be a separate accounting procedure than what is used for points
that are granted.

[0031] The method of allowing the user to redeem the accumulated reward points from one or more of a plurality of reward entities will now be described with respect to FIG. 4 and the data flow diagram of FIG. 6. The trading server system would allow users to "log in" to access the functionality provided where the user may interact with applications, forms or controls... The user, from the user computer [i.e., not at the point of transaction], makes a request to the trading server computer 20 at step 102, requesting redemption through the network 2 for a portion of the pre-accumulated reward points stored for the user in one of the rewarding entities... The user may interactively select rewards to be redeemed, or the system may determine which rewards are to be redeemed based on a previously defined user profile rule. The trading server computer 20 "obtains" the reward points from a reward server 10, 12, 14 stored in the user's account 52 by contacting the appropriate reward server at step 110 according to the user's requirements, by using the connection parameters as defined in a database 54 on the trading server as shown in FIG. 5. In one embodiment, the trading server retrieves reward account balance information at step 114 from the reward server for the user. In another embodiment, the trading server transfers as part of the communication 110, the requested reward mileage to be redeemed. The reward server computer 10 decreases the users reward account 52 by the requested number of reward points. The term point is used to reference any earned value that has a cash equivalent or negotiable worth as in "frequent flyer" point or mile. The reward server computer 10 conveys consideration to the trading server computer 20 where the consideration corresponds to the number of reward points decreased in the user's account 52 on the reward server 10. For example, the consideration may be in the form of a monetary credit to an account that exists between the trading server and the reward server, that gets paid at the end of a predefined billing cycle (i.e. every month). The trading server computer 20 increases the reward exchange account 54 associated with the user by the received number of points. The trading server computer 20 in turn, receives the consideration from the reward server computer 10.

[0032] In the second part of the transaction (see FIG. 7), the user from a user computer 40 may make a request 150 to purchase an item from an associated merchant computer 30. In the preferred embodiment, the merchant computer system will be a networked computer system accessible via the Internet. The user would visit the site by selecting on a link from the trading server's web site or by entering the name or address of the destination site. The user may identify one or many items to be acquired from one or several merchants 30. The trading server computer 20 would confirm that the user has sufficient points to purchase the selected item by checking the user's reward exchange account 54. The trading server computer 20 would request the merchant computer to deliver the item to the user. The

user delivery information may be retrieved from the trading server computer 20 or may be supplied in some other manner. The trading server computer 20 would decrease the user exchange account 54 by the number of points corresponding to the purchased item. The trading server computer 20 conveys consideration to the merchant computer 30 equivalent to the cost of the item by means well known in the art of electronic commerce (eg. by a pre-existing account, credit card, etc.) In the alternative, the consideration may be a direct transfer of points to an account associated with the merchant.

[0033] Policies and profiles may be established to automatically contact each of the reward servers according to a user redemption profile (see FIG. 5) to transact the required payment for an item selected by a user. This profile may indicate the order of redemption [of the previously-existing points] and method of providing funds sufficient to cover the purchase after redeemable points are exhausted. For example, if a user has a preferred air carrier where the user would like to retain mileage in that reward system, the user may specify a priority of use indicating the [previously-existing] reward resources that should be exhausted prior to accessing the most desirable rewards. Following the selection of an item to be acquired, the server may contact all of the reward resources according to this profile to selectively redeem each as required to meet the purchase price... If the user exhausts lower personal worth resources from the reward servers, the system may be required to contact the user before the transaction is allowed to proceed to redeem points. A classification system may also be used to indicate rewards of similar worth. If for instance, a frequent flyer program supports multiple classifications of miles that may be redeemed differently, the user may optionally define how those resources should be managed during redemption. The redemption process would then honor those rules elected by the user to select from several different reward programs instead of redeeming rewards strictly on a value required from the first reward program contacted...

[0034] FIG. 8 describes the process steps involved in enrolling a user to utilize the trader server... The trading server has the ability to receive offers from reward servers or merchants which may then be directed to users based on the database profile information provided by the user (see FIG. 9).

[0035] The trading server may also be contacted in response to a button or hyperlink located on a web page accessible by the user from the airline reward server...

It is in this context of processing previously-existing rewards benefits by the host controller / trading server 20 that we arrive at the passage cited by the Examiner:

[0036] The system used to implement the aforementioned method will now be disclosed with respect to FIG. 5. The system is comprised of a trading

server computer connected to a network of computers where a user interface is established whereby a user from a user computer may access the server to request the transaction to contact a reward server computer system. In the preferred embodiment, the server has memory means for storing the user account information, user profiles and rules specified by the user, system, or merchant. The trading server also has communications means to allow users to access the server and to allow the trading server to contact reward servers and processing means to interpret the rules and coordinate the contact to the respective reward servers. The processing means is adapted to allow the user to request and exchange consideration for rewards from reward servers. The processing means additionally is adapted to coordinate the exchange of consideration and increase or decrease the user exchange accounts stored in memory in response to actions performed by the user computer, reward server and merchants.

It is clear that, taken in proper context, this passage neither teaches nor suggests anything at all about "a host controller system awarding previously non-existent awards benefits", as suggested by the Examiner at page 20 of his Answer.

Indeed, Postrel immediately emphasizes yet again that its host controller (the "trading server 20") is not issuing new rewards benefits:

[0038] In response to a request for redemption, the trading server looks up the contact properties of the reward server to be contacted. The user information is submitted to the reward server to display the available points that may be redeemed. In another embodiment, the request additionally contains a value to be redeemed...

Figures 3 and 5, Appellant notes, teach data structure and basic system architecture, and shed no light on relevant aspects of the processing of awards benefits at all.

Similarly, the Examiner's assertion at page 20 of the Answer that "Postrel discloses the same host controller system communicating newly-awarded benefits to a user at the point of transaction, at the close of or during the transaction," is incorrect.

This point is particularly important, in that it alone significantly distinguishes Appellant's claimed systems and methods from the cited art. The prior art simply teaches no such system or method, much less any system or method combining the two limitations, or suggesting the possibilities opened by Appellant's invention.

As noted above, Postrel does not disclose, or even contemplate, a "point of transaction." Postrel teaches separate and distinct merchant systems 30 and user systems 40: no point of transaction exists in (or is contemplated by) Postrel; Postrel is concerned solely with distributed transaction processing over networks. The passages of Postrel cited by the Examiner for this teaching are found in Figure 7 and at paragraph [0043] (see page 20 of Examiner's Answer). Neither Figure 7 nor Paragraph [0043] teaches any such thing. As related in paragraph [0032] of Postrel (quoted above) Figure 7 is related to the transfer of consideration from the host controller 20 to the merchant 30, as described above, as payment for merchandise to be received by the user, and not to communication of information related to newly-awarded benefits to the user at the point of transaction. Paragraph [0043] is presented in its proper context below:

[0036] The system used to implement the aforementioned method will now be disclosed with respect to FIG. 5. The system is comprised of a trading server computer connected to a network of computers where a user interface is established whereby a user from a user computer may access the server to request the transaction to contact a reward server computer system... The processing means additionally is adapted to coordinate the exchange of consideration and increase or decrease the user exchange accounts stored in memory in response to actions performed by the user computer [40], reward server [10, 12, 14] and merchants [30]...

[0038] In response to a *request for redemption*, the trading server [20] looks up the contact properties of the reward server [10, 12, 14] to be contacted... The reward server [10, 12, 14] then transfers consideration to the trading server [20] that corresponds to the value reduced in the reward system. In response to the receipt of the transfer or approval of the transfer, the trading server [20] increments the user account balance to reflect the received consideration and the connection to the reward server [10, 12, 14] is dropped...

[0039] The user [40] selects the desired object from the merchants [30] by indicating the type of product or service to be procured. In one embodiment, the trading server contacts the merchant server [30] to return to the user [40] a list of products that match the user's search criteria or if the user had specified in detail what was desired, the product may be directly acquired from a merchant. A communication link is established between the trading server [20] and the merchant computer [30] or designee for e-commerce. Direct acquisition may be enacted by contacting the merchant computer and supplying the user indicia, the product indicia, and the redemption value sufficient to secure the transaction. In response to the transaction request,

the merchant computer [30] will receive the consideration supplied and contract for the delivery of the product. In another embodiment, the consideration required for the item selected is sent to the trading server [20] where based on the available points in the user's exchange account the trading server will determine whether the consideration is available. An authorization process may be incorporated at this point to request authorization from the user or in a more simplified process, the consideration will be transferred to the merchant computer and the user's exchange account will be reduced. The merchant computer [30] will receive the consideration and will effectuate a delivery transaction to be issued.

[0040] The goods may also be placed under direct control of a distribution arm of the trading service so that the user places the order with the trading service directly and the merchants are not directly involved with the sale of the goods.

Thus, clearly, delivery to a user remote from the merchant is contemplated, if indeed not strictly required. No delivery to a customer at the point of transaction is contemplated. Indeed, no direct communications from the trading server to the user are not mentioned in any way. There is no "point of transaction" in Postrel, and no communication to the user concerning awards at the point of transaction. Postrel continues:

[0041] Thus, the present invention provides a liability management system for issuers of reward points, which allows them to take points off the books and eliminate them, if desired, at a discount rate. This system enables the sale or repurchase of points with a trading strategy in which points need not expire.

thus reiterating that the Postrel system does not contemplate the issuance of previously non-existent rewards benefits. Continuing, Postrel states:

[0042] The present system may be implemented by means of a smart card wherein frequent use points may be accumulated on the user's card every time the card is used for associated application. For example, if a user uses his smart card to pay for a hotel that normally gives reward points, those reward points may be stored on the smart card. Likewise, when the card is used for the purchase of an airline ticket, the points would be added to the smart card. The user may then redeem the accumulated reward points by inserting the card into a vender associated with a computer connected to the Internet. The trading process proceeds as described above, except that the points are obtained directly from the smart rather than a reward server.

This brings us to Paragraph [0043], cited by the Examiner as teaching communication of information relating to newly-awarded benefits to the user:

[0043] The user may have a credit card, debit card, or stored value card that is linked to their points account in such a way as to permit them to pay for purchases with a merchant by using the card, wherein the merchant uses the existing credit card payment infrastructure as if payment were being made/authorized by a bank linked to the credit card or debit card account, but in fact the card is linked to the user's points account. In this manner, the user and merchant can use the points account to pay for purchases in a seamless manner whereby points are used for consideration rather than or as a supplement to cash and traditional credit.

Appellant fails to see any teaching in this paragraph whatever related to communications by the host controller to the user, at a point of transaction, of information related to newly-awarded rewards benefits.

Appellant further emphasizes that, with respect to the art cited by the Examiner, communication of information relating to previously non-existent rewards benefits to a consumer at a point of transaction is a significant distinction: as previously explained, and as explained throughout Appellant's disclosure, such possibilities open up entirely new lines of commerce and commercial advantage.

At page 23 of the Answer, the Examiner reiterates a previous admission, namely that Postrel does not disclose a host controller that implements rewards programs for other entities – or that the trading server performs the functions of the trading server and also the reward server.

However, the Examiner asserts that Fitzpatrick discloses "multiple, different awards programs stored at and administered/operated by a central/host controller", and that "all of the operations of the Selecting Software, Editing Software, and Operating Software functions of items" can be housed and performed at the central/host controller. Again, unfortunately, the Examiner has missed the point: Fitzpatrick, as Appellant has previously explained, merely provides remote processing resources (i.e., outsourced processing resources) for parties responsible for administering awards programs using others' equipment. As noted at page 15 of Appellant's opening brief, Fitzpatrick provides nothing more than storage devices 112 and processing devices 108, which are

controlled by the various awards programs operators (e.g. airlines, merchants, etc.; those who award the benefits) individually, for their own ends; to create and administer various separate rewards programs: Fitzpatrick teaches a distributed, outsourced, shared processing facility for implementation of multiple independent prior-art awards programs. Fitzpatrick addresses technical aspects of data processing and storage, and not the underlying processes by which rights in benefits are created and used, which are the subject of Appellant's claims and invention.

Moreover, like Postrel, Fitzpatrick fails to teach the communication of information related to newly-awarded points to a consumer at a point of transaction. (And the Examiner does even not suggest that it does.)

The Examiner emphasizes his view that Fitzpatrick's teaching of centralized administration of awards programs renders Appellant's claimed systems and methods obvious. But the centralized administration of awards programs, in and of itself, is old in the art, and is not claimed by Appellant. Appellant claims, among other features, the awarding of newly-existent benefits in conjunction with the communication of information relating to such newly-created benefits to a consumer or other user at a point of transaction. Neither the secondary market system for the trading and redemption of awards benefits taught by Postrel, nor the outsourced processing resources of Fitzpatrick, teach or suggest, alone or in combination, such systems – which, as previously stressed by Appellant, open new and important opportunities for commerce and the distribution of goods and services.

Finally, Appellant notes that the Examiner has still declined to resolve the nature or identity of the person having ordinary skill in the art, and the knowledge such person might possess. Without such resolution, it is difficult for Appellant to provide suitable evidence of non-obvious, to the extent such evidence might be required.

Claims 68, 79, and dependents

At page 20 of the Answer, the Examiner provides a pro forma response to Appellant's arguments regarding claims 68, 79, and their dependents. As in previous argument, the Examiner has failed to establish that Appellant's claimed systems and

methods are obvious in light of the cited references, and for the same reasons. As noted in Appellant's opening Brief and as further explained above, the Examiner has mischaracterized both the teachings of the cited art and the ramifications of those teachings.

Neither Postrel nor Fitzpatrick, alone or in any combination, teaches or suggests accessing program matrix rules modules, determining previously non-existing awards benefits for users, and communicating information relating to the award benefit or an updated awards status to a remote location such as a point of transaction.

Piecemeal Examination

Appellant notes that the Examiner has declined to respond to Appellant's concern relating to piecemeal examination. Indeed; it appears to Appellant that proper attention is still wanting in examination: although Appellant was put to some extra effort to point out to the Office that claims long since cancelled continued to be rejected through several subsequent rounds of prosecution (see Appellant's Response to Notification of Non-Compliant Appeal Brief filed herein 27 March 2008), the Examiner still failed, in his original Answer, to address currently pending claims properly, and found it necessary to file a Supplemental Answer in order to clarify. (See Supplemental Answer mailed herein 7 May 2008).

Moreover, Appellant regretfully notes that to a large extent such inattentive, piecemeal examination has continued thorough filing of the Examiner's Answer: the bulk of the Examiner's Answer, including its first 18 pages, is copied verbatim from the last several Office Actions in prosecution below. As noted in Appellant's opening brief, large portions of the arguments presented in that portion of the Answer relate to limitations that have not been included in Appellant's claims for several rounds of prosecution.

Appellant believes that a proper and thorough consideration of the claims, as they are presented, could have resulted in successful close to prosecution many months ago, with significant savings in Office and Appellant resources.

Appellant respectfully submits that its claims are allowable as presented, and requests reconsideration and allowance of the claims by the Board.

CONCLUSION

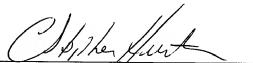
Appellant believes that its claims, as currently presented, are allowable for the reasons stated herein and in its opening brief. Appellant respectfully requests that the findings of the Examiner be reversed, and the claims allowed.

Appellant believes that no fees are due in connection with the filing of this paper. In the event that the office determines that any further fee is due, Appellant requests that such fee be charged to its Deposit Account No. 195113.

Appellant requests that any questions concerning this matter be directed to the undersigned at 416-216-4789. Finally, Appellant respectfully directs the attention of the Office to new contact information for its attorney, as noted below. A separate paper noting the change of correspondence address is filed herewith.

Respectfully submitted,

Dated: JUNE 24, 2008



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